

# Exhibit A



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

August 3, 2022

Tirzah Lollar  
ARNOLD & PORTER KAYE SCHOLER LLP  
601 Massachusetts Ave., NW  
Washington D.C. 20001-3743

Re: Case 2:21-cv-00022-Z; *The United States of America, et al v. Planned Parenthood Federation of America, Inc., et al*; In the United States District Court for the Northern District of Texas, Amarillo Division.

Dear Tirzah:

Thank you for meeting and conferring with Texas by phone on Monday and Tuesday, August 1<sup>st</sup> and 2<sup>nd</sup>, regarding your Motion to Compel. As a result of those discussions, and in the spirit of compromise, without waiving our objections or assertions of privilege, and to narrow the issues requiring the Court's intervention, the State's position is as follows:

- **RFPs 3, 9, 10, 11, 12, 15, 16, 17, 18, 24, 33, 34, 35, 38 and 39:** Without waiver of our objections and assertions of privilege, Texas will search for and produce responsive non-privileged documents, if any, from HHSC and HHSC-OIG custodians, from 2011 to present, (or as modified by a shorter time frame as appropriate) using agreed upon search terms. We will provide you with our list of search terms later today. We are available to meet and confer with you regarding the list of search terms at your convenience. As to these RFPs, the Affiliates' motion to compel is moot.
- **RFPs 4, 13, 41, 42, and 43:** Texas has no documents responsive to these requests and will change our response to: "none." As to these RFPs, the Affiliates' motion to compel is moot.
- **RFP 6:** During our meet & confer you explained that the Affiliates are *only* seeking information allowed by the FRCP regarding experts. We explained that Texas is complying with its discovery obligations under the FRCP as to experts. As to this RFP, the Affiliates' motion to compel is moot.
- **RFPs 36 and 37:** Relator's counsel confirmed that they are responding to these requests, and as you stated, you do not need this produced twice. Accordingly, we understand the Affiliates are standing down on their motion to compel with respect to these RFPs.

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- **RFPs 14, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, and 45:** Texas is standing on our objections, and assertions of privilege, and will not search for or produce responsive documents.
- **Interrogatories 4, 5, 6, 7, 9, 14, and 15:** Without waiving our objections and assertions of privilege, Texas will provide an amended response. As to these interrogatories, PPFA's motion to compel is moot.
- **Interrogatories 2, 8, 10, 11, 12, 13, 16, 17, and 18:** Texas is standing on our objections, and assertions of privilege, and will not answer these interrogatories.

The foregoing offers to compromise should not be construed as Texas agreeing that any documents produced, or interrogatory responses provided, are relevant or otherwise admissible at trial or for use in any way in this litigation. As always, we are open to further discussions to help alleviate the need for the Court's involvement in this or any future discovery dispute.

Sincerely,

*/s/ Raymond C. Winter*

Raymond Charles Winter

Division Chief, Civil Medicaid Fraud Division

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